

DANIEL H. JOHNSON.

MARCH 23, 1860.—Ordered to be printed.

Mr. HUTCHINS, from the Committee on Claims, made the following

REPORT.

The Committee on Claims, to whom was referred the papers in the case of Daniel H. Johnson, having had the same under consideration, beg leave to report :

That in the year 1850 the claimant was appointed, and held the office of assistant United States marshal for the purpose of taking the census in La Pointe county, Wisconsin. From the certificate of L. H. Cotton, marshal for the district of Wisconsin, it appears that Mr. Johnson discharged his duties as required by the act of May 22, 1850, and was entitled to receive as compensation therefor the sum of ninety dollars and sixty-nine cents. The Secretary of the Interior, in his report dated June 1, 1858, says: "The books of the late census office show the payment of his account by two drafts, \$45 08 on November 8, 1850, and \$45 61 on July 23, 1851. The amount (\$90 69) thus paid was all that could be allowed him under the act of May 22, 1850." It thus appears Mr. Johnson received for his services the full amount allowed by law.

The claim now before your committee is for extra pay, based on the ground that the legal compensation did not cover Mr. Johnson's actual expenses. There is no evidence whatever on file showing the amount of expenses incurred; nor do your committee regard it material to the decision of this case. The claimant accepted the appointment of assistant marshal with a full knowledge of the duties appertaining thereto, and if the office did not prove profitable, he was only in the condition, no doubt, of many others discharging similar duties, and there can be no liability, either legal or equitable, on the part of the government. Your committee therefore report back the claim with a recommendation that it be not allowed.

